

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

WINERIES OF THE OLD MISSION
PENINSULA ASSOCIATION, *et al.*,

Plaintiffs,

Case No: 1:20-cv-01008

v

PENINSULA TOWNSHIP, Michigan Municipal
Corporation,
Defendant.

Honorable Paul L. Maloney
Magistrate Judge Ray S. Kent

ORAL ARGUMENT REQUESTED

PLAINTIFFS' MOTION TO STRIKE THE TOWNSHIP'S OFFER OF PROOF

Plaintiffs (the "Wineries"), through their attorneys Miller, Canfield, Paddock and Stone, PLC, move pursuant to Federal Rules of Civil Procedure 12(f) for entry of an order striking Peninsula Township's offer of proof filed as ECF No. 237-2. The Wineries rely on the attached brief in support. Pursuant to LCivR 7.1(d), on August 31, 2022, the Wineries' counsel sought concurrence in the relief sought from the Township's attorneys. Peninsula Township's counsel declined to concur in the relief sought, necessitating the filing of this Motion.

WHEREFORE, for the foregoing reasons and those set forth in the attached Brief, and pursuant to Fed. R. Civ. P. 12(f), the Wineries request that the Court grant this Motion and enter an Order striking the offer of proof filed by the Township.

Respectfully submitted,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By: /s/ Joseph M. Infante
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Dated: August 31, 2022